| Notice of Allowability Application No. Application Application Application Application Application Application Application Art Unit William E. Tapolcal 3744 | | | ω | |
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| Notice of Allowability Examiner Milliame E. Tapolcai 3744 | | Application No. | Applicant(s) | |
| William E. Tapoical 3744 | A1 41 C A H L 1114 . | 10/811,685 | ROCHE ET AL. | |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address—All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-45) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. Sea 37 CFR 1.131 and MPEP 1308. 1. ☑ This communication is responsive to the amendment filed on November 14, 2005. 2. ☑ The allowed claim(s) isfare 1.7.9-11.16.18-20.23.24.27.29.30.32-34.37.38.40.44-46.49-51.54.55.58-60 and 63.74. 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All D ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies on treceived: | Notice of Allowability | Examiner | Art Unit | |
| All claims being allowable, PROSECUTION ON THE MERTS IS (OR REMAINS) CLOSED in this application. If not included nerwith (or previously mailed), a Notice of Allowance (PTOL-86) or other appropriate communication will be mailed use curse. THIS NOTICE OF ALLOWABILITY IS NOT BY A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or topon petition by the applicant. See 37 CFR.1313 and MPEP 1303 and MPEP 1303. 1. | | William E. Tapolcai | 3744 | |
| 2. ☑ The allowed claim(s) Is/are 1-7.9-11.16.18-20.23.24.27.29.30.32-34.37.38.40.44-46.49-51.54.55.58-60 and 63-74. 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD Is NOT EXTENDABLE.** 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTC-152) which gives reason(s) why the oath or declaration is deficient. 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ heretor or 20 ☐ to Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail pate Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(g). 6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's Comment regarding Review (PTO-948) 7. ☐ Examiner's Comment Regarding Review (PTO-948) 8. ☐ Actachment(s) 9. ☐ Other William E. Tapolcai Primary Examiner | All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative | | | |
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| 9. ☐ Other William E. Tapolcai Primary Examiner | 4. Examiner's Comment Regarding Requirement for Deposit | 8. 🛛 Examiner's Stateme | ent of Reasons for Allowance | |
| Primary Examiner | of Biological Material | 9. | | |
| | | | Primary Examiner | |

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1. The following is an examiner's statement of reasons for allowance: the claims are allowable because the prior art of record fails to disclose or teach the recited controller controlling the linear compressor by controlling the stroke of the piston based at least in part on the sensed parameter, or the dual-opposing pistons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. The drawings filed on March 29, 2004 are acceptable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Tapolcai whose telephone number is (571) 272-4814. The examiner can normally be reached on Mon. - Thurs., 6:30 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melba N. Bumgarner can be reached on (571) 272-4709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit: 3744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William E Tapolcai
Primary Examiner

Art Unit 3744

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November 28, 2005